

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

\*\*\*\*\*  
IN RE: : CASE NO. 5-09-07379  
RYAN D. OLECKI :  
AKA RYAN DAVID OLECKI, :  
AKA RYAN OLECKI, :  
AKA RYAN OECKY, :  
DBA RYAN OLECKI REMODELING, :  
DBA OLECKI ROOFING AND SIDING :  
Debtors. : CHAPTER 7  
\*\*\*\*\*  
RYAN D. OLECKI :  
DBA RYAN OLECKI REMODELING :  
Plaintiffs :  
vs. :  
BRENNAN & CLARK LTD. : ADVERSARY NO. \_\_\_\_\_  
Defendant :  
\*\*\*\*\*

**COMPLAINT TO RECOVER DAMAGES FOR VIOLATION  
OF THE AUTOMATIC STAY**

\*\*\*\*\*  
AND NOW COMES the Plaintiff/Debtor, Ryan D. Olecki, by and through his attorney, Tullio DeLuca, Esquire, and makes this Complaint to Recover Damages for Violation of the Automatic Stay and, in support thereof, avers as follows:

1. Debtor filed Their Chapter 7 voluntary petition on September 22, 2009.  
2. On or about January 25, 2010, Defendant, Brennan & Clark Ltd. was served by First Class Mail with Plaintiff's Amended Schedule F listing it as a creditor in Plaintiff's Chapter 7 Bankruptcy. . A copy of the Amended Schedule F and Certificate of service is attached hereto and made a part hereof, and marked as Exhibit "A".

3. Subsequent to being notified of the filing of the Chapter 7 bankruptcy, on February 11, 2010, an invoice was forwarded by Defendant requesting payment for pre- petition debt. Said invoice is attached hereto, and marked as Exhibit "B."

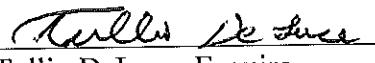
4. Based on the foregoing facts and the Exhibits attached hereto and made a part hereof, Brennan & Clark Ltd.'s conduct is in violation of the automatic stay, 11 U.S.C. Section

362.

WHEREFORE, Debtor, Ryan D. Olecki, requests the following relief:

1. An order adjudging Brennan & Clark Ltd. in civil contempt for violation of the automatic stay provisions of Section 362 of the Bankruptcy Code.
2. An order awarding Debtors damages, including punitive damages Brennan & Clark Ltd.'s continued and repeated violations of the automatic stay, along with costs and attorney's fees incurred as a result of the violations of the automatic stay by Brennan & Clark Ltd..
3. Such other and further relief as the court may deem appropriate.

Respectfully submitted,

  
\_\_\_\_\_  
Tullio DeLuca, Esquire  
Attorney I.D. 59887  
Attorney for Debtor  
381 North 9<sup>th</sup> Street,  
Scranton, Pennsylvania 18504  
570-347-7764

Dated this 8<sup>th</sup> day of March 2010.

In re Ryan D. Olecki

Debtor

Case No. \_\_\_\_\_

(If known)

# AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

Check this box if debtor has no creditors holding unsecured claims to report on this Schedule F.

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See Instructions above.)	CODETOR	HUSBAND, WIFE, JOINT OR CO-OWNERSHIP	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>0345</b>			01/01/2009 Insurance				151.00
Erle Insurance Group Collection Unit 100 Erie Insurance Place Erie, Pa 16530-0001							
Brennan & Clark Ltd., 721 E. Madison Suite 200 Villa Park, IL 60181							
ACCOUNT NO. <b>1325</b>			07/01/2003 Medical services				325.00
MT Emergency Associates P.O. Box 1369 Scranton, PA 18501							
Remit Corp. 36 West Main Street P.O. Box 7 Bloomsburg, PA 17815							
Flexible Financial Corp P.O. Box 189 Peckville, PA 18452							

2 Continuation sheets attached

Subtotal	\$	476.00
Total	\$	

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Ryan D. Oleckl

Debtor

Case No. \_\_\_\_\_

(If known)

# AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See Instructions above.)	CODETOR	HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM, IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. 325.1			09/16/2008 Medical services				210.00
Radiological Consultants 751 Keystone Indust. Park Dunmore, PA 18512							
Radiological Consultants Inc P.O. Box 60 Pittsburgh, PA 15230							
Rickart Collection Systems, 575 Milltown Rd., P.O. Box 7242 North Brunswick, NJ 08902							
ACCOUNT NO. 2010			12/01/2007 Telephone services				266.00
Sprint/Nextel Attn: Bankruptcy P.O. Box 172408 Denver, CO 80217							
Pentagroup Financial 5959 Corporate Dr. Ste. 14 Houston, TX 77036							
IC Systems, Inc., 444 Hwy, 98 East Box 64887 St. Paul, MN 55164							
Enhanced Recovery Corp. P.O. Box 1967 Southgate, MI 48195							

Sheet no. 1 of 2 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal >	\$ 466.00
Total >	\$

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

In re Ryan D. Olecki

Debtor

Case No. \_\_\_\_\_  
(if known)

## AMENDED SCHEDULE F - CREDITORS HOLDING UNSECURED NONPRIORITY CLAIMS

(Continuation Sheet)

CREDITOR'S NAME, MAILING ADDRESS INCLUDING ZIP CODE, AND ACCOUNT NUMBER (See instructions above.)	CODEBTOR  HUSBAND, WIFE, JOINT OR COMMUNITY	DATE CLAIM WAS INCURRED AND CONSIDERATION FOR CLAIM. IF CLAIM IS SUBJECT TO SETOFF, SO STATE	CONTINGENT	UNLIQUIDATED	DISPUTED	AMOUNT OF CLAIM
ACCOUNT NO. <b>0000-1</b>		01/01/2009 telephone services				<b>693.22</b>
Verizon Wireless Attn: Customer Service P.O. Box 4003 Acworth, GA 30101						
North Shore Agency, Inc. 270 Spagnoli Road Suite 111 Melville, NY 11747						

Sheet no. 2 of 2 continuation sheets attached to Schedule of Creditors  
Holding Unsecured  
Nonpriority Claims

Subtotal >	\$ <b>693.22</b>
Total >	\$ <b>1,636.22</b>

(Use only on last page of the completed Schedule F.)  
(Report also on Summary of Schedules and, if applicable on the Statistical  
Summary of Certain Liabilities and Related Data.)

UNITED STATES BANKRUPTCY COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

IN RE:

RYAN OLECKI : CASE NO.:05:09-07379  
Debtor : CHAPTER 7

\*\*\*\*\*  
CERTIFICATE OF SERVICE  
\*\*\*\*\*

The undersigned hereby certifies that on the 25<sup>th</sup> day of January 2010 he caused a true and correct copy of the attached Amended Schedules via First Class United States Mail, Postage Pre-paid in the above-referenced case, on the following:

Mark J. Conway, Trustee  
502 South Blakely Street  
Dunmore, PA 18512

Erie Insurance Group  
Collection Unit  
100 Erie Insurance Place  
Erie, PA 16530-0001

Brennan and Clark, Ltd.  
721 E. Madison  
Suite 200  
Villa Park, IL 60181

MT Emergency Associates  
P.O. Box 1369  
Scranton, PA 18501

Remit Corp.  
36 West Main Street  
P.O. Box 7  
Bloomsburg, PA 17815

Flexible Financial Corp  
P.O. Box 189  
Peckville, PA 18452

Radiological Consultants  
751 Keystone Industrial Park  
Dunmore, PA 18512

Radiological Consultants, Inc.  
PO Box 60  
Pittsburgh, PA 15230

Rickart Collection Systems,  
575 Milltown Rd.,  
P.O. Box 7242  
North Brunswick, NJ 08902

Sprint/Nextel  
Attn: Bankruptcy  
P.O. Box 172408  
Denver, CO 80217

Pentagroup Financial  
5959 Corporate Drive  
Ste. 14  
Houston, TX 77036

IC Systems, Inc.  
444 Highway 96 East  
Box 64887  
St. Paul, MN 55164

Enhanced Recovery Corp.  
P.O. Box 1967  
Southgate, MI 48195

Verizon Wireless  
Attn: Customer Service  
P.O. Box 4003

Acworth, GA 30101

North Shore Agency, Inc.  
270 Spagnoli Road  
Suite 111  
Melville, NY 11747

Dated: \_\_\_\_\_

/s/ Tullio DeLuca, Esquire.

Tullio DeLuca, Esquire

PA ID# 59887

381 N. 9<sup>th</sup> Street

Scranton, PA 18504

(570) 347-7764

# Brennan & Clark Ltd.

A Limited Liability Company

Telephone: (630) 279-7611  
Out of State: (888) 217-3212

721 E. MADISON  
SUITE 200  
VILLA PARK, IL 60181

Fax: (630) 279-7045  
Web Page: [www.brennandclark.com](http://www.brennandclark.com)

2/11/2010

Ryan Olecki Remodeling  
Attn: Ryan  
526 Beech St  
Scranton, PA 18505-1847



Re: Erie Insurance Co  
\$104.00  
Q312620523

*10 letter  
AFTER Bankruptcy  
was filed  
Keep sending letters  
\$104.00 SAME  
\$150.00 Commercial  
policy  
\$150.00 Commercial  
policy  
2 balances SAME Account*

Dear Ryan:

Despite repeated attempts to affably dispose of this matter, no concrete progress has been made. In reviewing the file, I observe that this office has taken every measure possible to assist you in making the decision to remit payment.

I also notice that no consequential defenses refuting Erie Insurance Co's claim have been disclosed.

Regretfully, I have no choice but to come to the conclusion that you have decided not to resolve this matter amicably. Nonetheless, I am offering you a final opportunity to put this matter to rest.

Should you now choose to avoid this matter, it will escalate to an adversarial situation which may, among other consequences, subject you to an unpleasant experience. Your payment in full must reach my desk within the next 5 days. Absent that cooperation, we have but one alternative to consider.

I trust you now comprehend the serious nature of this last attempt to amicably resolve this matter.

Reference our File Number on all communications.

Sincerely,

*Mike Clark*

Mike Clark  
Ext: 6123

File # 09-106983

Please consider this as notice that if payment is made by consumer check, we will convert this check to an electronic debit to your account via ACH. If the check is returned for non-sufficient funds, we will present the check via ACH debit.

*"Exhibit B"*